A Question Of Law

Editor's note: Following is one in a series of columns regarding the law which the Times-Virginian **will provide as a public service to its readers each month. The monthly question-and-answer column is written by Albert Teich, Jr., professor of business at Old Dominion University.**

Question: I recently purchased a home and besides having to pay a lawyer to search the title to the property, I also had to purchase title insurance. If I have to pay a lawyer to search the title, why should I also have to buy title insurance?

Answer: It would be easy enough to say that the mortage company equired the title insurance and if you wanted to obtain the loan to buy the house, you had to purchase title insurance.

However, there are other valid reasons why a purchaser of real estate might and should obtain title insurance. A lawyer can only certify the title from the records as he finds them. He examines the records in the office of the clerk of the circuit court for adverse conveyances, judgements, financing statements, mechanic's liens, wills, intestate estates and other matters of record. He also examines the tax records. Not all possible defects in title to real estate will be found among the recorded documents of the city or county in which the real estate is located.

There are many defects which a lawyer cannot find when searching records. One of the former owners might havew been declared mentally incompetent, or someone might have been adversely occupying the property and might now claim all or part of it. None of those defects, plus many others will show up among the recorded documents.

Title insurance protects against defects, recorded or unrecorded.

Even though the lawyer might make a mistake in searching the title and you have the right to sue him for your damages, you might find that the right to sue is practically valueless. If the lawyer does not have sufficient insurance or funds to cover his mistake, you wil still beleft out in the financial cold.

One word of warning here... you may be paying for title insurance at the time of settlement, but the insurance might not covber you as the homeowner. The mortage company only requires you to purchase insurance for its benefit. That is known as "mortage title insurance". You obtain no coverage for yourself, unless you purchase "Owners title insurance."

Generally speaking, title insurance is a pretty good bargain.

Question: When selling a house, does the seller have to tell the prospective buyer about all the defects in the house?

Answer: The rule in Virginia, and in most states, is caveat emptor, i.e., buyer beware. Therefore, the seller does not have to list all of the defects in the property being sold. A very important exception, however, is that the seller must not do or say anything to throw the purchaser off his guard or to divert him from making the inquiries and the examinations that a prudent man should make.

In 1979, the Supreme Court of Virginia decided a case against a seller who knew of a defect in the septic tank system and hid the defect from the prospective buyer by use of a roaring fire in the fireplace, room deodorant, and a heavy "Garlicky or onionY" cooking odor.

In that case, the Supreme Court held that the seller was guilty of fraudulent misrepresentation and that he was, therefore, liable in damages to the purchaser.

The same rules apply to a person trading in his car on a new car or selling it to a private buyer. Say or do nothing to mislead and it is the buyers duty to inspect. Do not try to "doctor" the car or to hide the defect, doing so would be just as wrong as telling the prospective buyer that the car is in good condition when the statement is a deliberate lie.

Rick Pack finds wayward balloon

Rick Pack, the son of Brod and Jane Pack was enjoying a'ramble' in the country in the spring of 1980 when he spied a balloon caught in a barbed-wire fence near the Appomattox Historical Park. The balloon had a message attached stating that members of the Science Club of Limestone High School released 974 helium-filled balloons on December 13, 1979.

Rick wrote to the Science Club telling them of his find. On January 6 of this year he received a reply thanking him for his response. They were amazed to receive a reply as early as the 15th of December, from one of the furthest points of response, Bangor, Pa.

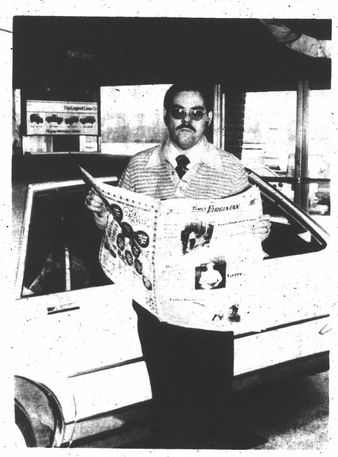
As promised in the message, Rick received a stamp to cover his postage. It is interesting to note that 80 of 174 were recovered.

Luceros depart

DT2 and Mrs. Tim R. Lucero and son, Michael, left on Saturday, December 20 for Dunoon, Scotland where they will make their home for the next two years.

DT2 Lucero will be stationed with the United States Navy aboard the USS Holland. Mrs. Lucero is the former Diane Chandler, the daughter of Mr. and Mrs. James (Red) Chandler of Appomattox.

How Effective Is Advertising In The Times-Virginian?



Says Tom Pankey of Moses Motor Company: "We sold two cars off the ad we ran in the Times-Virginian last week (Jan. 3), and had a serious inquiry on a third car. All three people said they saw the cars advertised in the Times-Virginian."

If You've got something Worthwhile To Sell, Tell The Public. Advertise In The Times-Virginian

Chestnut Grove

Mr. and Mrs. Bob Bryan visited relatives in Knoxville, Tenn. during the Christmas holidays.

Mr. and Mrs. John Meek and family of Virginia Beach visited during the Christmas with Mr. and Mrs. Bob Mann and Mrs. Ester Forbes.

Friday visitors of Mr. and Mrs. W. T. Cook were Mr. and Mrs. Fred S. Barton of Richmond; Eugene Tompson of Blackstone; Edward T. Cook of Prospect.

Mr. and Mrs. James Kinser of Newport, Tenn. visited the Rev. and Mrs. Dott Bryan during the holidays and were Saturday supper guest of Mr. and Mrs. Bob Bryan.

Mrs. Mollie Manis of Sevierville, Tenn. and Mr. and Mrs. Luke West and son, Richard, all of Maryville, Tenn. visited in the Joe Harris home during Christmas.

Terry Harris returned Sunday to his Navy duty in Great Lakes, Ill. after spending two weeks with his parents, Mr. and Mrs. Joe L. Harris.

H. Flood Harris of Green Bay J. C. Tompson of Farmville were Saturday visitors of Mr. and Mrs. Russell L. Harris.

Kenneth D. Cook of Prospect spent Friday night and Saturday with his grandparents, Mr. and Mrs. W. T. Cook. He was very proud that he killed his first deer last week while visiting his uncle in Blackstone.

Allen Talbert and Kylex Bryan returned to their school duties at V.P.I./SU Monday.

Kemper Beasley, Sr. returned home Sunday from Southside Community Hospital and is improving nicely.

The neighborhood hunters and their families enjoyed the annual end of the season supper Saturday at the home of Mr. and Mrs. Carl Glover at Hixburg.

Mr. and Mrs. Johnnie M. Harris and boys and Mr. and Mrs. Russell L. Harris were Sunday dinner guest of Mr. and Mrs. H. Flood Harris at Green Bay. Most of the young people of the community met at the home of Mr. and Mrs. Joe L. Harris New Year's Eve night for a taco supper and remained to welcome in the New Year.

Mr. and Mrs. Billy Morris and Rodney of Richmond spent the long weekend with Mr. and Mrs. Calvin W. Morris. Other visitors included Mr. and Mrs. Robert Glover of Lynchburg, a dear friend, son and cousin.

Mrs. Essie Lawton of Chesapeake, Va. lost her sister in New York last week.

Miss Virginia Berkley of Longwood College spent the holidays here in the home of her parents, Mr. and Mrs. Floyd Berkley, Sr.

May God bless you and keep you.

SPECIAL COMMISSIONER'S PUBLIC AUCTION SALE

By virtue of Decree entered by the Circuit Court of Appomattox County, Virginia on the 18th day of December, 1980 in the Chancery cause of Shirley R. Smith, Guardian etc. v. Donald Lee Almond, Jr., etc. et als, the undersigned will offer for sale the hereinbelow described parcel of real estate, located approximately ½ mile East of Spout Spring, Virginia in Southside District of Appomattox County, Virginia

SATURDAY, JANUARY 24, 1981 at 10:00 A.M. ON THE PREMISES

That certain tract of real estate fronting on State Secondary Road 703 containing 2.22 acres, more or less, this being a sale by the boundary and not by the acre, a short distance off of U.S. Highway 460, adjoining the lands of J.K. Marshall and others. Splendid house containing 6 rooms, 2 baths and utility room on first floor, finished basement with 1 bedroom and half bath. New garage and swimming pool.

TERMS: 10% down payment on day of sale by depositing said 10% in one of the banks in Appomattox County, Virginia payable to the Circuit Court of Appomattox County, Virginia for the benefit of the above said cause. All offers subject to approval or rejection of said Court.

Balance to be deposited with the Court upon confirmation of sale by said Court.
NO BOND REQUIRED BY ORDER OF COURT

For further information contact:
W. M. Abbitt, Special Commissioner

Clover Hill

Rev. James Miller preached a very inspiring sermon last thirld Sunday at the Gravel Hill Baptist Church. He also lead a song-"Won't Have To Cry No More". All were present enjoyed the message.

Mr. Henry Odell Bowen, son of Mrs. Flossie Bowen passed away a few weeks ago in Washington, D. C. We have lost a dear friend, son and cousin.

Jordan News

"I was glad when they said unto me let us go to the house of the Lord."

On Thursday, Jan. 15, there will be a rehearsal of the senior choir. All members are urged to be present. We will be practicing with Mrs. Womack.

On Saturday night, Jan. 17, at 7:30, there will be a meeting of the Ladies' Club.

On Monday, Jan. 19, the Young Adults will meet and practice with Mrs. Day.

A church business meeting will be held Tuesday, Jan. 20, there will be a church business meeting at 8 p.m.

January Clearance Sale

All TV's & Appliances On Sale

RCA

RCA XL-100 color consoles—with all these deluxe features

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RCA ColorTrak 25" diagonal

The Nichols Model GER702

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RCA SignaLock electronic tuning Gives you the convenience of single-knob VHF/UHF channel selection plus the reliability of solid state electronics.

RCA's energy-efficient Xtendedlife chassis Designed for long life and low power consumption. Actually uses less energy on average than a 100-watt bulb.

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Moore joins Lawson

Johnny J. Moore, a native of Appomattox with 22 years' experience in automotive repairs, has closed his auto shop and joined the automotive team in the body shop at Lawson Ford, according to a release from the company.

He began his career as an automotive repairman with Grinels' Motor Company on April 29, 1959.

Johnny invited all his previous customers to come by and visit at Lawson Ford, and says he is "proud to be with Lawson Ford and will continue to hold the high standards of his profession."

Woman's Club meets

At the January meeting of the Appomattox Woman's Club on Monday evening at John Mosby Restaurant, members heard Stanley P. Klien, a member of the Speakers Bureau of the Virginia Petroleum Industry.

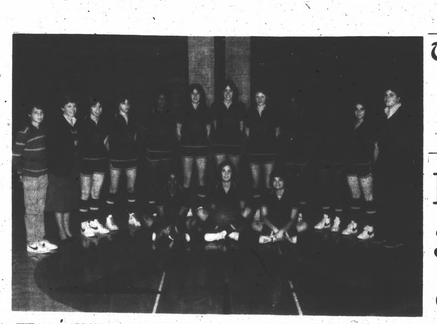
A slide presentation and lecture on America's new frontier was directed to the primary focus of energy conservation and petroleum potential in America.

Elaine Bollinger is chairman of the Conservation Committee of the Appomattox Woman's Club; serving with her are Virginia Babcock, Helen Anderson, Edna Anderson, Mary Frances Bryant, and Virginia Carwile.

Reunion planned

A reunion for students of the old Carver-Price School is being planned for coming months.

All former students of the school are welcome and urged to attend. For information on the reunion, contact Carl Moore at 352-7204, or Lewis Fitch at 237-3689.



THE 1980-81 APPOMATTOX RAIDERETTE VARSITY BASKETBALL TEAM: (Front, from left) tri-captains Karen Johnson, Robin Martin, and Susan Handy; (Back, from left) manager Darren Tolley, Coach Mary Tolley, cheryl Williams, Robin Paulette, Sandra Watkins, Kim McGrath, Janis Richardson, Rhonda Jaggars, Ruby Smith, Lolita Preston, Angie Murray, and Manager Susan George.

Raiderettes fall to Liberty, drop J.F.

The Raiderette varsity basketball team fell 58-34 to a powerful Liberty team last Friday, after defeating Jefferson Forest 74-26 on Wednesday night.

"They just beat us," said Raiderette coach Mary Tolley after the game against Liberty. "They were a big, quick team. We played them close in the first half. We only trailed by five points when the half ended. But our offense fell apart in the second half."

The unbeaten Liberty team outscored Appomattox 29-10 in the second half of play. Junel Leftwich and Jamie Burks, Liberty's leading scorers, accounted for 13 and six points, respectively, in the second half. Leftwich had 25 points for the night and Burks 14 against the Raiderettes.

The local girls fell behind 17-9 in the first quarter, but rallied to outscore Liberty 15-12 in the second quarter and close the half trailing, 29-4.

The Raiderettes could muster only three points in the third quarter, however, and in the final period of play scored only seven points.

Ruby Smith had the hot hand for the Raiderettes against Liberty, totaling 15 points on four field goals and seven freethrows. Rhonda Jaggars had six points for the night, Susan Handy recorded five, Lolita Preston four and Robin Martin scored two points.

The local girls went 18 for 27 from the foul line for a 66 percent freethrow performance against Liberty.

Wednesday night's game against Jefferson Forest was a different story, however, with every member of the Raiderette team seeing playing time in both halves of the game, and nine girls scoring points, including three in the double-figure category.

The local girls bombed Forest in the first half, putting 38 points on the board to Forest's 10, including 23 first-quarter points by Ruby Smith.

The Raiderettes ran up 18 points in each of the final two periods of play, while Jefferson Forest scored eight points each in the third and fourth quarters.

The local girls also played a strong defensive game, with 20 steals (seven by Smith and six by Preston) and 14 assists (including four by Handy and three by Smith).

The Raiderettes also did well rebounding, collecting 37 rebounds to Forest's 28. Rhonda Jaggars and Karen Johnson each had six rebounds in the game, Martin, Handy and Sandra Watkins each had four, and Janis Richardson collected three rebounds against Forest.

Smith again led all Raiderette scorers with 23 points, followed by Preston with 14 points, Handy with 10, Jaggars with nine, Agnie Murray with six, Robin Martin and Robin Paulette, with four each, Karen Johnson and Cheryl Williams with two each. Janis Richardson, Kim McGrath and Sandra Watkins also saw action but didn't get on the scoreboard.

The Raiderettes were scheduled to play Buckingham Tuesday night after the Times-Virginian deadline. Friday the local girls will travel to Rustburg. Game time is 6:30.

Ford, Seay schedule matches

Two local men will participate in boxing matches scheduled for this Sunday afternoon at the Lynchburg Armory.

Gordon Ford of Appomattox will square off against Rasheen McQueen, a nationally ranked fighter in the 147-pound class, according to a spokesman for the Lynchburg Fraternal Order of Police, who are sponsoring the boxing matches. Ford, who is coming off of three straight knockouts, will face his toughest competition to date in McQueen, according to the FOP spokesman.

The other local man scheduled to fight is Phillip Seay, a deputy sheriff with the Appomattox County Sheriff's Department, according to the FOP spokesman.

Seay will square off against "Brown Bomer" Thomas from Amherst, in the 178-pound (light heavyweight) class. At press time, there was an outside chance that Seay would not be able to fight, as he was early this week coming out of a spell with the flu.

The fights will commence at 3 p.m. in the Armory. There will be 15 matches in all, according to the FOP spokesman.

ACVRS answers 54 calls in Dec.

The volunteer members of the A.C.R.S. responded to a total of 54 calls in the month of December. In response to these calls they traveled a total of 2,716 miles and spent 382 man hours.

The squad used the E.K.G. machine to monitor 9 persons en route to the hospital. There were 8 persons who required oxygen while being transported to the hospital.

A breakdown of the calls is as follows; Falls, 2; Breathing Difficulty,5; Abdominal Pains, 3; Chest Pains, 4; Heartattack, 5; Auto wreck, 2; Stroke, 2; Diabetic, 1; Overdose, 2; Burn, 1; D.O.A. 3; Transports, 13; False Call, 1; Misc., 10.

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Sports

Raiders win 3 straight contests

The Appomattox Raider varsity basketball team scored its second and third straight victories last week against Jefferson Forest Wednesday night and against Liberty Friday night.

The game against Forest was a squeaker, with the Raiders trailing until the final two minutes of the game, when Marvin Johnson hit on a 15-foot jump shot to put the Raiders ahead for good, 52-51.

The local team trailed 12-7 at the end of the first quarter, and were behind 31-21 when the buzzer sounded ending the first half.

But the Raiders began a strong comeback in the third quarter, outscoring Forest 14-11, and rallied for 17 points to Jefferson Forest's nine in the final period of play. Johnson's winning shot came with less than two minutes to play, and the stalwart Raider defense held off Forest to preseve the win.

Shane Abernathy, Marvin Johnson, and Kevin Ferguson led Raider scorers, with 14, 12, and 11 points, respectively. Jeff Miller and Rick Caldwell, with six and nine points also got on the scoreboard. The Raiders hit 19 field goals and went 14 for 22 from the foul line for a 63.6 freethrow percentage.

On defense, Abernathy led the Raiders in rebounds with 12 to his credit, followed by Johnson and Miller with eight each.

David Hughes, David Huffman and Kenny Fuqua all scored in double figures for Jefferson Forest, with 17, 12, and 10 points, respectively.

While Friday's game against Liberty was less dramatic, the victory was just as sweet for Coach Coty Dickerson and his varsity Raiders.

The 71-56 victory put the Raiders' record at 3-4 for the season, and marked the third consecutive win for the local team.

The Raiders jumped to an early 15-8 lead at the end of the first quarter, then played Liberty even in the second period of play to go into the lockerroom at halftime with a 29-22 lead.

In the third quarter, the Raiders stretched their lead by two points, scoring 20 points to Liberty's 18. The local team outscored Liberty 22-16 in the final period of play to ice the victory, 71-56.

Miller, Ferguson, and Abernathy all scored in double figures for the Raiders, with 19, 17 and 14 points, respectively. Other players scoring in the game were Johnson with eight points, Caldwell with seven, Jonathan Pickett with four, and Richard Guill and Jody Williams, with a point each.

Dickerson commended the performance of Pickett, who came off the bench and made both field goals he attempted, had three steals and blocked two shots.

Dickerson also cited Miller, who had 19 points and 12 rebounds, Abernathy with 13 points in the second half and five assists for the game, and Kevin Ferguson, who scored 10 points in the second half. The coach also said Rick Caldwell handled the ball well under extreme pressure, and made several key freethrows for the Raiders.

The Raiders hit on 26 field goals and went 19 for 31 from the foul line for a 61 percent freethrow performance against Liberty.

The Raiders were scheduled to play Buckingham Tuesday night at home, after the Times-Virginian deadline. Friday night the Raiders will travel to Rustburg for a game against the Red Devils. Game time is 8 p.m.

Bass

Annual anglers' delight slated

The Virginia Bass Fisherman's Association will present "Bassarama 81" at the Virginia State Fairgrounds in Richmond, Virginia, on Saturday, January 31 and Sunday, February 1, 1981. The show hours will be from 9 a.m. till 9 p.m. on Saturday, and from 9 a.m. till 6 p.m. on Sunday.

"Bassarama 81" will feature new fishing boats, the latest in fishing tackle, lure making and rod wrapping demonstrations. Fishing clinics, demonstrations and seminars will also be held along with free fishing movies throughout the two days.

Several nationally known fishing professionals will be on hand each day including famous fly fisherman sportsman, Lefty Kreh, syndicated fishing show host Bill Dance and noted fish biologist, Glen Carver.

"Bassarama 81" will also have free goldfish for the kids (while they last), door prizes, giveaways and a "Casting Pool".

Admission price for the show is $3.50 for adults, 50c for children, 12 and under.

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Thin Ring (3G)	$51.88	$34.16

WE BUY WEDDING BANDS	18K	14K
Giant Size (15G)	$195.49	$116.99
Extra Large (12G)	$136.52	$82.54
Large Ring (8G)	$82.34	$52.58
Medium Ring (6G)	$60.98	$34.15
Small Rings (4G)	$51.00	$34.94
Thin, Ring (3G)	$57.00.	$27.36

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